

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	Bankruptcy No. 13-11106-TPA
Alex Fink and	:	
Diane Fink,	:	Chapter No. 13
Debtors	:	
	:	
Paul W. McElrath, Esquire /	:	Related to Docket No. 61
McElrath Legal Holdings, LLC,	:	
Applicant	:	
vs.	:	Hearing Date and Time:
	:	June 21, 2017 at 11:30 AM
Ronda J. Winnecour, Esquire,	:	
Chapter 13 Trustee,	:	
Respondent	:	

**ORDER**

This matter is before the Court upon the *Application for Compensation* [Docket No. 61] (the "Application") filed by Paul W. McElrath, Esquire of McElrath Legal Holdings, LLC. Upon review of the *Application* and finding that no timely responses or objections were filed, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The *Application* is granted in the amount of \$5,321.00 for fees and expenses incurred during the period of September 1, 2013 through May 11, 2017 (inclusive of projected time to close the case), consisting of fees in the amount of \$5,040.00, and expenses in the amount of \$281.00.
2. The Debtors previously paid counsel an expense retainer of \$281 from which out-of-pocket expenses could be paid during the case. The residual balance of the expense retainer is \$0.00.
3. Previously, counsel was paid the "no look" fee of \$3,700.00 for services rendered in the case. A portion of the "no look" fee was paid by the Debtor as a prepetition retainer in the amount of \$419, while the remaining balance of \$3,281 is to be paid by the chapter 13 trustee through the Debtors' confirmed plan.

4. Additional legal fees in excess of the “no look” fee remain due and owing to McElrath Legal Holdings, LLC in the amount of \$1,340.00. The remaining balance shall be paid as follows:

- a. Fees in the amount of \$1,250.00 shall be paid by the chapter 13 trustee to the extent such fees are provided for in the Debtors’ confirmed chapter 13 plan;
- b. Fees in the amount of \$90.00 will be considered waived or deferred.

5. The additional fees authorized by this *Order* may be paid through the Debtors’ chapter 13 plan provided that the Debtors amend their plan within 14 days of the date of this *Order* to increase the plan payment by an amount sufficient to provide for the increased fees. The fees shall be paid from the Debtors’ resources without decreasing the percentage or amount to be paid to other creditors through the plan.

Dated: June 1, 2017

BY THE COURT:  
  
Thomas P. Agresti, **vas**  
United States Bankruptcy Judge

Additional fees may be paid through the Chapter 13 plan provided that debtor(s) amend the plan within 14 days after the application for fees is allowed to increase the plan payment sufficiently to include those fees. The fees must be paid from debtor(s) resources without decreasing the percentage or amount to be paid to other creditors through the plan.

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
Western District of Pennsylvania

In re:  
Alex Fink  
Diane Fink  
Debtors

Case No. 13-11106-TPA  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-1

User: lfin  
Form ID: pdf900

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jun 01, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 03, 2017.  
db/jdb +Alex Fink, Diane Fink, 211 Frozen Toe Lane, Polk, PA 16342-4427

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 03, 2017

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 1, 2017 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor Real Estate Mortgage Network, Inc.  
agornall@goldbecklaw.com, bkgroup@goldbecklaw.com; bkgroup@kmlawgroup.com  
James Warmbrodt on behalf of Creditor Real Estate Mortgage Network, Inc.  
bkgroup@kmlawgroup.com  
Matthew John McClelland on behalf of Creditor Real Estate Mortgage Network, Inc.  
bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Paul W. McElrath, Jr. on behalf of Debtor Alex Fink ecf@mcelrathlaw.com,  
donotemail.ecfbackuponly@gmail.com  
Paul W. McElrath, Jr. on behalf of Joint Debtor Diane Fink ecf@mcelrathlaw.com,  
donotemail.ecfbackuponly@gmail.com  
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,  
ckutch@ecf.courtdrive.com; pashcroft@ecf.courtdrive.com; pghecf@bernsteinlaw.com; cabbott@ecf.courtdrive.com  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 8